UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,027	07/31/2006	Ren Judkins	060068	2945

7590 04/02/2009

Lynn J. Alstadt
Buchanan Ingersoll
One Oxford Centre
301 Grant Street
Pittsburgh, PA 15219

EXAMINER	
AFTERGUT, JEFF H	

ART UNIT	PAPER NUMBER
1791	

MAIL DATE	DELIVERY MODE
04/02/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/568,027	JUDKINS, REN	
	Examiner	Art Unit	
	Jeff H. Aftergut	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2-10-06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colson '108 (US 4,631,108) in view of Daamen et al, Corey '296 (US 2002/0014296) and Schnebly '630 (US 4,732,630).

The reference to Colson '108 suggested that those skilled in the art at the time the invention was made would have formed a cellular honeycomb blind by applying at least one longitudinal line of adhesive to the exterior surface of an elongated tubular member, wrapping the elongated tubular structure around a collector in a manner to cause the adhesive to be positioned between and bond together the overlying surface of the elongated tubular material forming a cellular structure on the collector And making at least one transverse cut through the cellular structure to form the blind assembly. the reference taught that the collector onto which the tubular structure was wound included a two sided form (Figure 1) as well as a three sided form (Figure 13) or a four sided form (Figure 12). The reference taught that the sides of the form were flat in order to enable the finished cellular assembly to be flat after the severing operation. the reference failed to specify whether the adhesive employed was a slow cure adhesive, failed to state that the cutting was performed prior to the fully curing of the adhesive, and did not place the cellular assembly on a flat surface after the severing step and

before final cure (note that the reference to Colson '108 did place the cellular structure on a flat surface prior to cure as it was disposed on a flat side of the take up prior to the cure but was not placed on the flat surface subsequent to cutting the assembly from the form, which is not expressly recited in the claim) where the curing was allowed to take place while the cellular structure was on the flat surface.

Daamen et al suggested that those skilled in the art of manufacturing a blood and plasma dialysis filter from hollow fibers would have understood that such filters were commonly made by winding the hollow fiber about a take up form having a square or flat surface in order to form a parallel bundle of filaments where multiple bundles were made from the winding operation. The reference suggested that such a winding operation led to was as the material in the corner of the flat surfaces was thrown out as well as uneven finished bundles as there were varied stresses (tension) acting on the fiber in the winding operation and thus the finished assemblies were wasteful in their manufacturing processing. The solution to this identified problem (note that in Colson '108 the cutting of the tubular material at the corners of the take up form would have resulted in a waste of material at the corners therein) was to wind the material upon a circular mandrel and sever the same from the circular form in order to eliminate the problems which arise relating to the waste of material in the corners as well as the unequal tensions on the wound layers which was in fact performed by Daamen et al. clearly, one would have been motivated to wind the material upon a circular or cylindrical drum in the manufacturing operation. to further evidence that those skilled in

the art would have employed a cylinder in the winding operation, the reference to Schnebly '630 is cited.

Schnebly '630 suggested that those skilled in the art would have wound a flat tube upon a drum which was cylindrical in the manufacture of the Venetian blind assembly. The reference suggested that one would have applied a bead of polyester adhesive material upon the fabric or film material used to make the blind prior to winding up where the adhesive material was later cured after severing the wound assembly. Namely, the reference suggested winding the adhesive coated tubular component upon itself where the adjacent convolutions had adhesive there between and followed this with a severing operation. After severing from the drum, the reference disposed the blind assembly on a flat surface and subjected the same to heat to initiate cure of the adhesive employed in the operation whereby the blind was in a flat condition during curing and was not subjected to varying tensions and stresses associated with curing on a mandrel having a shape other than circular in nature. The reference suggested that this would have enabled one skilled in the art to form multiple blind assemblies in a fast and efficient manner without the waste associated with having to sever off the end corner portions of a wound assembly. The reference employed a polyester adhesive and while the adhesive appears to be of a slow cure nature, the reference makes no mention of using an adhesive which is retained in an uncured state during the winding and still tacky therein prior to removal from the mandrel, see column 5, lines 42-column 6, line 12.

The reference to Corey '296 suggested that those skilled in the art of making a Venetian blind would have known to incorporate an adhesive in the joining of the various layers of material together which was both strong and flexible and included the use of either polyester adhesive materials or polyurethane adhesive materials where it was known that the polyurethane adhesive materials employed had a slow or long cure time therein. Applicant is more specifically referred to paragraph [0086] of the reference for a discussion of the use of either the polyester adhesive or the polyurethane adhesive in the processing and the advantages of each. Clearly, it was known in the art of making a blind assembly to incorporate a curable adhesive material which was slow in nature to cure wherein the desirable strength and flexibility characteristics of the adhesive were met using a slow cure polyurethane adhesive material. Additionally, note that one skilled in the art viewing the prior art as a whole would have understood that the slow cure polyurethane adhesive employed in the processing in place of the polyester adhesive would have enabled one to develop a bond with the tack of the adhesive was the layers were wound but that the bond formed was not permanent and the layers would be able to shift relative to one another subsequent to the cutting step as the adhesive was not cured at this point and thus the objectives desired by Schnebly '630 would have been obtained in the operation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the techniques of Schnebly '630 in the processing of Colson '108 in order to attain a finished Venetian blind assembly which was more efficient in terms of less material waste for example as expressed by Daamen et al whereby the adhesive employed in the processing was a slow cure polyurethane

adhesive material as taught by Corey ‘296 which was an alternative and suitable adhesive material in the manufacture of a Venetian blind assembly.

With respect to claim 2, the references to Schnebly ‘630, Colson ‘108 or Corey ‘296 suggested the specified materials. Regarding claim 3, note that the references to Schnebly ‘630, Colson ‘108 or Corey ‘296 suggested attachment of the assembly to a headrail as defined. Regarding claim 4, to cut the assembly of Schnebly after curing of the material into multiple assemblies after removal from the mandrel would have been obvious to those skilled in the art. Additionally note that the reference to Daamen et al suggested such manufacture. Regarding claim 5, note as indicated above such severing would not have occurred until the material was removed from the mandrel and in a flat condition as suggested by Daamen et al. regarding claims 6 and 7, note that the reference to Corey ‘296 suggested the use of slow curing polyurethane adhesive. While the reference did not state that it took 4 hours or more to cure, one skilled in the art would have expected that like materials would have had like properties. With respect to claim 8, note the references to Daamen as well as Schnebly defined a wheel (cylindrical) structure about which the material was wound. With respect to claim 9, note that the references to Daamen as well as Schnebly explained the benefits of wrapping the material about a cylindrical wheel like structure. Additionally, note that the references to Schnebly as well as Corey '296 suggested an applicator having a reservoir that contained the adhesive therein and additionally provided the applicator with suitable means to apply a bead of adhesive upon the tubular structure. The reference to Schnebly suggested that those skilled in the art at the time the invention

was made would have provided a flat surface adjacent the wheel for provision of handling the assembly once cut from the wheel. Regarding claim 10, while the references do not define a specific diameter for the wheel used to take up the material in the winding operation, this is clearly a function of the desired number of blinds to be manufactured as well as the size of the window opening being covered and one skilled in the art would have readily appreciated that larger diameter drums would have enabled one to manufacture larger shades as well as a greater number of shades in a single winding operation. It would have been within the purview of the ordinary artisan to provide a drum having a diameter of at least 10 meters. Regarding claim 11, note that a circular wheel satisfies the requirement of the major axis not being more than twice the minor axis (they are substantially equal) and this the provision of an elliptical wheel was suggested as a circle is a special ellipse. Regarding claim 12, note that the references suggested the specified accumulator as Corey '296 suggested a dancer 73 between the supply and the adhesive applicator and the reference to Colson '108 suggested an accumulator assembly. Regarding claim 13, note that Colson '108 suggested a four sided wheel. Regarding claim 14, note that Schnebly suggested that the flat surfaces were moved on a conveyor disposed under the wheel so that the finished assemblies could be easily removed from the same.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references to Colson ‘586 and Auger et al suggested the use

of accumulators between the web supply and the adhesive applicator in winding systems for making a cellular shade.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Jeff H. Aftergut/ whose telephone number is 571-272-1212. The examiner can normally be reached on Monday-Friday 7:30-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeff H. Aftergut/
Primary Examiner
Art Unit 1791

JHA
March 27, 2009